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Attorneys for Defendant  
HEAVENLY VALLEY, LIMITED PARTNERSHIP and  
THE VAIL CORPORATION

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA**

CHRISTOPHER HAMILTON, as an  
individual and on behalf of all others  
similarly situated,

Plaintiffs,

v.

HEAVENLY VALLEY, LIMITED  
PARTNERSHIP; and DOES 1-50,  
inclusive,

Defendants.

Case No. **2:21-CV-01608 WBS SCR**

**JOINT STATUS REPORT AND REQUEST TO  
CONTINUE STATUS CONFERENCE; ORDER**

**Related to: 2:21-cv-00107 WBS DB  
2:21-cv-01260 WBS SCR  
2:21-cv-02251-WBS-DB**

Complaint Filed: September 8, 2021  
District Judge: Hon. William B. Shubb  
Courtroom 5, Sacramento

Magistrate Judge: Sean C. Riordan  
Courtroom 27, Sacramento

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 Plaintiff CHRISTOPHER HAMILTON (“Plaintiff”) and defendant HEAVENLY  
3 VALLEY, LIMITED PARTNERSHIP (“Defendant”) (collectively the “Parties”), hereby submit  
4 this joint status report regarding the status of the case and settlement approval process in this  
5 Action and four other related cases: *Gibson v. The Vail Corporation*, Case No. 2:21-cv-01260-  
6 WBS-DB (E.D. Cal.) (“*Gibson*”); *Hamilton v. Heavenly Valley, Limited Partnership*, SC20210148  
7 (El Dorado County Superior Court) (“*Hamilton II*”); *Roberds v. The Vail Corporation et al*, Case  
8 No. 2:21-cv-02251-WBS-DB (E.D. Cal.) (“*Roberds*”); and *Heggen v. Heavenly Valley Limited*  
9 *Partnership*, 2:21-cv-00107-WBS-DB (“*Heggen*”).

10 WHEREAS, on November 19, 2021, Randy Dean Quint, John Linn, and Mark Molina  
11 (collectively “Colorado Plaintiffs”), plaintiffs in another class and collective action against  
12 Defendant venued in Colorado captioned *Quint v. Vail Resorts, Inc.*, No. 1:20-cv-03569-DDD-  
13 GPG filed a motion to intervene in *Hamilton II* for the purpose of filing a motion to dismiss the  
14 action, which the court denied;

15 WHEREAS, on December 28, 2021, the Parties executed a formal, long-form Settlement  
16 Agreement that fully and finally resolves all claims in the Action, pending court approval, as well  
17 as claims pled in related cases *Hamilton I*, *Gibson*, *Hamilton II*, and *Roberds* (“the Settlement”);

18 WHEREAS, on February 1, 2022, the El Dorado County Superior Court entered an Order  
19 in the *Hamilton II* action granting Plaintiffs’ Motion for Preliminary Approval of the Settlement;

20 WHEREAS, Colorado Plaintiffs filed an objection to the Settlement;

21 WHEREAS, after considering all final approval papers, all objections to the Settlement,  
22 oral argument from objectors at a hearing on June 17, 2022, and the arguments of counsel and  
23 other individuals at a final approval hearing on August 19, 2022, the El Dorado County Superior  
24 Court entered an Order in the *Hamilton II* action on August 19, 2022 granting Plaintiffs’ Motion  
25 for Final Approval of the Settlement (“Final Approval Order”) and entered judgment;

26 WHEREAS, Colorado Plaintiffs moved to vacate the *Hamilton II* judgment, which the  
27 Court denied;

28 WHEREAS, Colorado Plaintiffs appealed both the order denying their motion to intervene

1 and the order denying their motion to set aside and vacate judgment;

2 WHEREAS, on October 10, 2024, the Court of Appeal issued an unpublished opinion that  
3 reversed the trial court's orders in on non-parties' motions to: (a) intervene; and (b) to set aside and  
4 vacate the judgment in *Hamilton II*;

5 WHEREAS, Defendant's petition for review filed with the California Supreme Court which  
6 was not granted;

7 WHEREAS, remittitur issued on January 29, 2025;

8 WHEREAS, following a case management conference in *Hamilton II* on March 14, 2025,  
9 the trial court entered an order adopting the parties' stipulated briefing schedule for Colorado  
10 Plaintiffs' (now Intervenor's) motion to dismiss, and set a hearing for June 6, 2025;

11 WHEREAS, the outcome of that motion may determine whether settlement approval  
12 proceedings will again move forward in *Hamilton II*;

13 WHEREAS the Settlement provides that Plaintiffs will dismiss this action with prejudice  
14 within 28 days after the Final Approval Order becomes a final, non-appealable order;

15 NOW THEREFORE, the Parties hereby jointly request that this Court continue the May 5,  
16 2025 Status Conference to Monday, August 4 at 1:30 pm, or as soon thereafter as the Court's  
17 calendar permits.

18  
19 DATED: April 23, 2025

DIVERSITY LAW GROUP, P.C.

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21  
22 By: /s/ Max W. Gavron  
Larry W. Lee  
Max W. Gavron

23  
24 Attorneys for Plaintiff  
CHRISTOPHER HAMILTON, AS AN  
25 INDIVIDUAL AND on behalf of all others  
26 similarly situated  
27  
28

1 DATED: April 23, 2025

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

4 By: /s/ Evan R. Moses

Evan R. Moses

Melis Atalay

Attorneys for Defendant  
HEAVENLY VALLEY, LIMITED  
PARTNERSHIP and THE VAIL  
CORPORATION

**ORDER**


The Court having reviewed the foregoing stipulation, and GOOD CAUSE APPEARING THEREFOR, the Court orders as follows:

(1) The Parties shall file a Joint Status Report addressing the status of the Settlement and any additional information that the Court requires, by **July 28, 2025**.

(3) The Status Conference is reset for **August 11, 2025 at 1:30 p.m.**

**IT IS SO ORDERED.**

Dated: April 24, 2025

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE